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Attorneys for Defendant

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION**

UNITED STATES OF AMERICA, Plaintiff, vs. MATTHEW ANTHONY MARSHALL, Defendant.	 CR 20-32-M-DWM DEFENDANT’S BRIEF IN SUPPORT OF MOTION FOR PROTECTIVE ORDER
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On February 8, 2021, four subpoenas duces tecum (*see* Doc. 52) (the “**Subpoenas**”) were served on Non-Parties NetJets Aviation, Inc., NetJets Sales, Inc., NetJets Services, Inc. and NetJets Inc. (collectively, “**NetJets**”).

NetJets requests that a protective order be entered to protect confidential business, proprietary and/or customer information contained in documents produced in response to the Subpoenas from (i) public disclosure and (ii) use outside this criminal case.

Therefore, Defendant respectfully moves for a protective order requiring that:

(1) documents or information produced by NetJets in response to the Subpoenas that are stamped “CONFIDENTIAL – Pursuant to Protective Order” (hereinafter, the “**NetJets Confidential Documents**”) shall be used only for the purposes of and within the confines of this criminal case and for no other purpose;

(2) NetJets Confidential Documents and the information contained therein shall be shown and/or disclosed only to:

- a. the parties to this case,
- b. the parties’ attorneys,
- c. the parties’ attorneys’ employees, experts, or consultants whose review of the material is reasonably necessary for the preparation and presentation of the party’s case; and
- d. judges, court personnel, and/or witnesses during witness preparation, deposition, or trial testimony, and as exhibits to deposition or in trial;

(3) attorneys for the parties shall advise every authorized person who reviews the NetJets Confidential Documents or the information contained therein as to the limitations and requirements of this Order;

- (4) attorneys for the parties shall be responsible to employ reasonable measures to control duplication of, access to, and distribution of the NetJets Confidential Documents or the information contained therein;
- (5) none of the NetJets Confidential Documents and information contained therein shall be released, disclosed, or shown to any person or entity other than those identified in Paragraph 2 above, including by filing the same on a public court docket, unless ordered by the Court; and
- (6) if any person or entity moves to modify this Order, Defendant shall notify NetJets, as soon as possible, so that NetJets has a reasonable opportunity to challenge the modification. Notification shall be provided via mail and email to:

NetJets Inc.
Attn: Office of General Counsel
4151 Bridgeway Avenue
Columbus, Ohio 43219
abrough@netjets.com
lsuhayda@netjets.com

DATED this 4th day of March, 2021.

/s/Timothy M. Bechtold
Attorney for Defendant